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Craig L. Linden
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In re Application of LINDEN
U.S. Application No.: 09/856,228
Int. Application No.: PCT/US00/21014
Int. Filing Date: 31 July 2000
Priority Date: 31 July 1999
Attorney Docket No.: none
For: METHOD AND APPARATUS FOR POWERED
INTERACTIVE PHYSICAL DISPLAYS

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

This is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 16 May 2001.

BACKGROUND

On 31 July 2000, applicant filed international application PCT/US00/21014, which claimed priority of an earlier United States application filed 31 July 1999. The twenty-month period for paying the basic national fee in the United States expired at midnight on 02 April 2001 (31 March 2001 was a Saturday).

International application PCT/US00/21014 became abandoned as to the United States at midnight on 02 April 2001 for failure to pay the basic national fee.

On 16 May 2001, applicant filed the present petition. The petition states that it is accompanied by a proper response under 35 U.S.C. 371, the petition fee set forth in 37 CFR 1.17(m), and a statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional."

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire

delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

As the requirements of 37 CFR 1.137(b) have been satisfied, the petition under 37 CFR 1.137(b) is GRANTED.

This application has an international filing date of 31 July 2000 and a date under 35 U.S.C. 371 of 16 May 2001.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.



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